

### **REMARKS**

This Response to Office Action is responsive to the Office Action dated October 27, 2006. Claims 1-13 and 15-22 are rejected. Claim 14 was previously cancelled. Claims 1-13 and 15-22 are now pending.

A petition for a one-month extension of time and payment or authorization for payment accompanies this amendment to extend the due date for response to February 27, 2007.

Applicant thanks the Examiner for the careful review of this application. Claims 1 and 22 were amended to clarify the claimed embodiments. Claim 14 was cancelled in a previous amendment without prejudice. No new matter was added. Therefore, claims 1-13 and 15-22 remain pending in this application.

### **REJECTIONS UNDER 35 U.S.C. § 103(a)**

Claims 1-13 and 15-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002-0010798 to Ben-Shaul et al. (hereinafter "Ben-Shaul") in view of Lee J. (U.S. Patent No. 7,107,606).

### **PRIOR ART**

Ben-Shaul apparently discloses a technique for centralized and differentiated content and application delivery that allows content providers to directly control the delivery of content based on regional and temporal preferences, client identity and content priority. [Ben-Shaul, Abstract] The technique involves a content and application delivery system having an origin web site which has an origin web server. The system also includes a policy control server and an edge server. The edge server communicates with both the origin web server and the policy control server. The edge server stores a second version of web content that is derived from the origin web server according to directives of a service policy. The service policy resides at the policy control server and the edge server downloads the service policy via a data network. When a user requests content from the origin web site, the request is redirected to the edge server. A third version of the web content is provided to the user from the edge server. The third version is derived from the second version in accordance with the directives of the downloaded service policy. [Ben-Shaul, 0072]

Lee apparently discloses a system and method for providing multicasts of videos and dynamically initiated transmission of the front portion of videos. [Lee, Abstract] Lee teaches a video on demand system including at least one video server and one admission controller for

communication with client devices. [Lee, col. 3, lines 22-25] Further, Lee teaches that the video on demand system comprises a number of service nodes connected via a multicast-ready network to the client devices and the admission controllers authenticate and schedule requests for forwarding to the service nodes. [Lee, col. 7, lines 13-20] Specifically, the admission controller (element 130a) sends START and EXTEND request to the service nodes and records the maximum needed duration that the client to be dynamically admitted has missed. [Lee, col. 8, lines 21-55]

### **PRIOR ART DISTINGUISHED**

The claims 1 and 22 includes the language of "a local storage device coupled to said server and locally storing metadata describing content objects accessible to said server including at least one location from where a particular one of said content object is stored and may be directed to said user."

As discussed previously, the edge server in Ben-Shaul downloads a service policy from a remote policy control server in order to deliver content. The applicant respectfully renews and incorporates by reference the arguments submitted in the Responses to Office Actions mailed on September 15, 2005 and June 13, 2006. Specifically, the applicant argues that the edge server disclosed in the claimed embodiment delivers content to users using metadata that is stored in a local storage device coupled to the edge server itself. In contrast, Ben-Shaul does not teach "a local storage device coupled to said server and locally storing metadata." Moreover, as discussed above, Lee teaches an admission controller for recording the maximum duration of video content that a client has missed and sends START and EXTEND requests. Lee does not, however, teach a local storage device for storing "metadata describing content objects accessible to said server including at least one location from where a particular one or said content object is stored." Specifically, Lee does not teach that the admission controller stores at least one location from where particular content may be stored. Neither Ben-Shaul nor Lee teaches a local storage device for storing metadata describing at least one location from where a particular content object is stored. For at least these reasons, independent Claims 1 and 22 are allowable over the teachings of Ben-Shaul and Lee.

Claims 2-13 and 15-21 are either directly or indirectly dependent on the independent Claim 1, and each adds additional elements and limitations. As described above, the independent Claim 1 is allowable over the teachings of Ben-Shaul and Lee. Accordingly, Claims 2-13 and 15-21 are also at least allowable as being dependent on an allowable claim and because each adds an additional limitation.

Claim 2 for example, further requires that said controller includes a request response and playback procedure executing as software on said metadata enabled edge server. Claim 3, further requires that the network comprises the Internet. Claim 4, further requires that the network communication link comprises a packet switched communication link not in itself having means for maintaining isochronous delivery of a content item separated into a plurality of packets for communication from said server to said requesting user. Claim 5 further requires that said content items are internally accessible to said server computer. Claim 6, further requires that said content items are externally accessible to said server computer. Claim 7 further requires that said metadata database stores data selected from the set of content physical properties, content storage locations, content usage terms, content usage rights, content playback duration, content prefix cache status, content network routing cost information, and combinations thereof. Claim 8 further requires that the metadata also includes a prefix portion of the content or a low-resolution preview of the content.

Furthermore, claim 9 further requires that said control means includes a request response and playback procedure. Claim 10 further requires that said storage stores at least one content item that is intended to be rendered for presentation at a predetermined time rate. Claim 11 further requires that said at least one content item comprises a video content item having image element frames and audio elements that is intended to be rendered for presentation on a playback device at said predetermined time rate so as to provide substantially the same visual and audio rendering to a viewer as when generated. Claim 12 further requires that the amount of data comprising said video content item is greater than the amount of data that is communicated in a packet over a packet switched Internet network. Claim 13 further requires that the amount of data comprising said video content item is an amount of video content that when rendered in real-time at an intended playback rate would exceed a fraction of time of broadcast quality video. Claim 15 further requires that said video content item comprises substantially a fill-length feature film in a video format.

Claim 16 further requires that said network communication link comprises Internet infrastructure. Claim 17 further requires that said network communication link comprises Internet infrastructure and Internet communication protocol. Claim 18 further requires that said metadata is used to enable intelligent decisions to be made on system operation and content routing. Claim 19 further requires that said metadata contains information about the actual content including its physical properties, possible locations of the content represented by the metadata, its usage terms. Claim 20 further requires that said metadata includes a globally unique identifier describing the

content object and at least one location at which said content object may be found. Finally, claim 21 further requires that said content object comprises a video content object having an amount of data requiring a plurality of packets for communication over a packet switched network, and said controller providing isochronous delivery from said identified content location to a playback device of said requesting user.

Applicant respectfully submits that each of these additional limitations is a further basis to patentably distinguish the pending claims from the cited art.

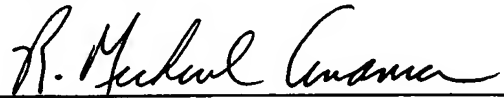
In view of the foregoing, Applicant respectfully submits that the cited prior art, alone or in combination, does not disclose the claimed embodiments. Therefore, withdrawal of the rejections of the claims is respectfully requested.

### **CONCLUSION**

Applicant believes that all pending claims are allowable and a Notice of Allowance is respectfully requested. The amendment was made to expedite the prosecution of this application. Applicant respectfully traverses the rejections of the amended claims and reserves the right to re-introduce them and claims of an equivalent scope in a continuation application.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,  
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